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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,375	09/08/2000	Tomowaki Takahashi	1539.1002 RE/JGM/DMP	5004

21171 7590 07/16/2002

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EXAMINER

SPYROU, CASSANDRA

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 07/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/659,375	09/08/00	Takahashi	

EXAMINER

Henry

ART UNIT

PAPER NUMBER

2872

19

DATE MAILED:

Please find below a communication from the SUPERVISORY EXAMINER in charge of this application.

Commissioner of Patents.

This letter is response to the "REMARKS" filed May 24, 2002 and "PETITION UNDER 37 CFR 1.181" filed May 14, 2002 which is being treated as a Request for Reconsideration. The 953 F.2d at 618-19, 21 USPQ2d at 1275. MPEP 1412.02 states:

Claims presented in a reissue application are considered to satisfy the requirement of 35 U.S.C. 251 that the claims be "for the invention disclosed in the original patent" where: (A) the claims presented in the reissue application are described in the original patent specification and enabled by the original patent specification such that 35 U.S.C. 112 first paragraph is satisfied; and (B) nothing in the original patent specification indicates an intent not to claim the subject matter of the claims presented in the reissue application.

A review of the application reveals that the claims present are supported by the original disclosure and that nothing in the original patent specification indicates an intent not to claim the subject matter of the claims. As such, it is appropriate to withdraw the final rejection and specifically the rejection of claims 27-57 as rejected upon a defective resissue declaration.

The application is being directed to the examiner of record for action in due course.

Cassandra Spyrou
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